

# SIKKIM



## GOVERNMENT

## GAZETTE

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**GOVERNMENT OF SIKKIM  
OFFICE OF THE P.C.C.F-cum-PRINCIPAL SECRETARY  
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NO. 11/GOS/ FEWMD/ PR.SECY-PCCF/16

Dated: 23/04/2016

### NOTIFICATION

Whereas in exercise of the powers conferred by sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) and in pursuance of the notification of the Government of India number S.O. 1533 (E), dated 14.04.2006, the Central Government has constituted the State Level Environment Impact Assessment Authority (SEIAA) Sikkim and the State Level Expert Appraisal Committee (SEAC) Sikkim vide Gazette of India Extraordinary notification S.O. 1100 (E) dated 27.4.15;

Now therefore in pursuance of paragraphs 9 and 10 of the notification No. S.O. 1100 (E) published in the Gazette of India Extra Ordinary dated 27.04.15, the State Government is hereby pleased to notify the following terms, conditions and procedures for the functioning of State Level Environment Impact Assessment Authority Sikkim and State Level Expert Appraisal Committee Sikkim, namely:-

#### 1 Terms and Conditions

- (1) The office of Director of Environment, Forest Secretariat, Deorali, shall act as Secretariat for the State Level Environment Impact Assessment Authority and State Level Expert Appraisal Committee, Sikkim. It shall provide all financial and logistic support including accommodation, transportation and such other facilities in respect of all statutory functions.
- (2) The authority shall meet once in every month or as per the requirement.
- (3) A sitting fee of Rs.2000/- (Rupees two thousand) only per day/per meeting including TA/DA shall be paid to the Chairman and non official members of State Level Expert Appraisal Committee.

A sitting fee of Rs. 3000/- (Rupees three thousand) only per day/per meeting including TA/DA shall be paid to the Chairman and non-official members of State Level Environment Impact Assessment Authority.

The official members shall not be entitled to sitting fee, but the out stationed members shall be entitled to claim TA and DA as per the Government of Sikkim TA rules.

- (4) All the allowances to the Chairman and members of the State Level Environment Impact Assessment Authority and State Level Expert Appraisal Committee shall be paid in accordance with the concerned rules of the State Government of Sikkim.
- (5) All the proposals for Environment Clearance shall be received at the Secretariat of the State Level Environment Impact Assessment Authority and shall be immediately referred to the State Level Expert Appraisal Committee for scrutiny, scoping, appraisal and subsequent necessary actions in terms of Environment Impact Assessment Notification 2006.
- (6) The Chairman, State Level Environment Impact Assessment Authority shall be provided with a regular vehicle along with a driver for performing his duties.
- (7) The members of the State Level Expert Appraisal Committee shall conduct visit of the sites whenever required.
- (8) The Member Secretary, State Level Expert Appraisal Committee shall be the Public Information Officer for both the State Level Environment Impact Assessment Authority and State Level Expert Appraisal Committee.
- (9) The Principal Chief Conservator of Forests-cum-Principal Secretary shall be the Appellate Authority for both the State Level Environment Impact Assessment Authority and State Level Expert Appraisal Committee.

## **2. Powers, Functions and Duties**

The State Level Environment Impact Assessment Authority and State Level Expert Appraisal Committee constituted vide the Gazette notification no. SO. 1100 (E) dated 27<sup>th</sup> April, 2015 shall consider proposals falling under category 'B1' projects listed at Schedule of the notification no. S.O. 1533 (E) dated 14<sup>th</sup> September, 2006 requiring prior environmental clearance from the State Level Environment Impact Assessment Authority in accordance with law and decision made on merit.

## **3. Procedure to be followed in decision making.**

- (1) The State Level Environment Impact Assessment Authority (SEIAA) Sikkim shall take decision about granting environment clearance or otherwise pursuant to the recommendation of State Level Expert Appraisal Committee. The State Level Expert Appraisal Committee shall appraise the proposal on the basis of the documents submitted by project proponent such as the application form, conceptual plan, pre-feasibility Report, presentation made before State Level Expert Appraisal Committee, final Environment Impact Assessment and public hearing report as the case may be.
- (2) The authorized members of the State Level Environment Impact Assessment Authority or State Level Expert Appraisal Committee, may inspect any site(s) connected with the project or activity in respect of which the prior environmental clearance is sought, for the purposes of granting environmental clearance if the authority feels the necessity of inspection with prior notice of at least 7 (seven) days to the applicant, who shall provide necessary facilities for the inspection.
- (3) The State Level Environment Impact Assessment Authority and State Level Expert Appraisal Committee shall function on the principle of collective responsibility. The Chairperson shall endeavor to reach a consensus in each case, and if consensus cannot be reached, the view of the majority shall prevail.

- (4) The State Level Environment Impact Assessment Authority and State Level Expert Appraisal Committee shall record the proceedings of each meeting and publish it in the website of State Level Environment Impact Assessment Authority or Envis/Sikkim State Forest Department websites.

**4. Norms for discharge of functions relating to grant of environment clearance**

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| Issue of TOR or rejection of application by State Level Expert Appraisal Committee.   | Within 60 (sixty) days from the date of receipt of application  |
| Appraisal of project on the basis of Final Environment Impact Assessment and Public hearing report by State Level Expert Appraisal Committee. | Within 60 (sixty) days from the date of receipt of Final Environment Impact Assessment report from Project Proponent.                         |
| Final decision of The State Level Environment Impact Assessment Authority by issue of prior environment clearance or otherwise.               | Within 45 (forty five) days from the date of SEAC's recommendation  |
| Category of Documents   | The State Level Environment Impact Assessment Authority shall not produce document by itself except TORs and environmental clearance letters. |

**Dr. Thomas Chandy, IFS  
Principal Secretary-cum-PCCF**

